

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT  
AT DANVILLE, VA  
FILED  
for Roanoke  
JAN - 9 2012  
BY: JULIA C. DUDLEY, CLERK  
DEPUTY CLERK  
*[Signature]*

VISTON SHYROCK MARTIN, Plaintiff,	)	Civil Action No. 7:11-cv-00010
	)	
	)	
v.	)	<b><u>ORDER</u></b>
	)	
R.C. MATHENA, <u>et al.</u> , Defendants.	)	By: Hon. Jackson L. Kiser Senior United States District Judge
	)	

In accordance with the written Memorandum Opinion entered this day, it is hereby

**ORDERED**

that Lester and Whited's motion to dismiss is **GRANTED**; plaintiff's claims against them are **DISMISSED**; Mathena and Schilling's motion for summary judgment is **GRANTED**; plaintiff's motion for sanctions is **DENIED**; plaintiff's motion to preserve is **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to plaintiff and counsel of record for the defendants.

ENTER: This 9th day of January, 2012.

*Jackson L. Kiser*  
Senior United States District Judge